

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

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|----------------------------|---|---------------------------------|
| RFR INDUSTRIES, INC., | § | |
| | § | |
| Plaintiff, | § | |
| VS. | § | CIVIL ACTION NO. 3-02 CV 1444 K |
| | § | |
| REX-HIDE INDUSTRIES, INC., | § | |
| | § | |
| Defendant | § | |
| and Third-Party Plaintiff, | § | |
| VS. | § | |
| | § | |
| CENTURY STEPS, INC., | § | |
| d/b/a CENTURY PRECAST, | § | |
| | § | JURY DEMANDED |
| Third-Party Defendant. | § | |

NOTICE OF APPEAL

1. Pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure, Plaintiff RFR Industries, Inc. files this Notice of Appeal.
2. The party taking the appeal is Plaintiff RFR Industries, Inc. (RFR).
3. The judgment and orders being appealed are:
 - a. Second Amended Judgment signed and filed on April 28, 2008 and entered on April 30, 2008 [Document 254];
 - b. Order signed and filed on September 28, 2007 and entered on October 1, 2007 [Document 244] granting Defendant and Third-Party Plaintiff Rex-Hide Industries, Inc.'s ("Rex-Hide") Second Amended Application for Attorneys' Fees and Expenses [Doc. No. 234] and Third-Party Defendant Century Steps, Inc.'s ("Century") Second Amended Application for Attorneys' Fees and Expenses [Doc. No. 235];

c. Order signed and filed on April 28, 2008 and entered on April 30, 2008 granting in part Rex-Hide and Century's Joint Motion for Entry of Amended Judgment [Doc. No. 252]; and

d. Order signed and filed on April 28, 2008 and entered on April 30, 2008 in support of Second Amended Judgment [Doc. No. 253].

4. RFR also gives notice of intent to appeal all non-final orders and rulings which produced or are related to the judgments and orders specifically referred to in paragraph 3 above.

5. This appeal is taken to the United States Court of Appeals for the Federal Circuit.

Respectfully submitted,

/s/ Robert G. Oake, Jr.
Robert G. Oake, Jr.
Oake Law Office
1333 W. McDermott Dr., Suite 200
Allen, Texas 75013
Tel: 469-519-2755
Fax: 469-519-2756

Attorney for RFR Industries, Inc.

CERTIFICATE OF SERVICE

I certify that on May 28, 2008, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal to the registered participants as identified on the Notice of Electronic Filing (NEF), and that paper copies were sent to those indicated as non-registered participants.

/s/ Robert G. Oake, Jr.
Robert G. Oake, Jr.